

MINUTE RECORD OF: Madera Unified School District Board of Education

REGULAR BOARD MEETING HELD ON THE 24th DAY OF February, 2009

The Board of Education of the Madera Unified School District convened in a **Regular Board Meeting** in the Madera South High School Cafeteria, 705 West Pecan, Madera, California on **Tuesday, February 24, 2009**, at 5:30 p.m.

ROLL CALL

Michael H. Westley, President
Philip D. Janzen, Clerk

J. Gary Adams, Trustee
Robert E. Garibay, Trustee
Loraine Goodwin, Trustee
Ray G. Seibert, Trustee

Absent:
Michael Salvador, Trustee

Kirsten Hadjis, Madera High School Student Board Representative
Michael Bravo, Madera South High School Student Board Representative

John R. Stafford, Superintendent
Teri Bradshaw, Director, Fiscal Services
Jake Bragonier, Public Information Officer
Robert Chavez, Chief Academic Officer, K-12, Educational Services
Kathleen Lopes, Associate Superintendent, Educational Services
Kelly Porterfield, Associate Superintendent, Business and Operations
Jerry Stehman, Director, Human Resources/Certificated
Darren Sylvia, Chief Academic Officer K-12, Educational Services
Fritz Ediger, Senior Administrative Assistant to the Superintendent
and the Board of Trustees

Robert Adams, Teacher, Washington School
Kent Albertson, Principal, Madera High School
Sam Armentrout, Director, Transportation
Andy Beakes, Principal, Madera South High School
Theresa Brown, Accounting Tech, District Office
Trino Cadaoas, Counselor, Thomas Jefferson Middle School
Jesse Carrasco, Principal, Thomas Jefferson Middle School
Tom Chagoya, Principal, Monroe School

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Carsten Christensen, Principal, Alpha School
Rosalind Cox, Director, Facilities Planning and New Construction
Sherri DeFina, Principal, Sierra Vista School
Mary DeLaCerde, Administrative Assistant, Mt. Vista High School
John Denno, Principal, Mt. Vista High School
Marisa DiMauro, Director, Categorical Programs
Rosie Galvez, Coordinator, English Language Development
Jennifer Gaviola, Director, Special Services
Ray Gould, Transportation, Bus Driver
Janet Grossnicklaus, Director, Curriculum, Assessment and Instruction
Kendall Jones, Principal, John Adams School
Jean Kato, Counselor, Madera High School
Reggie King, Custodial Supervisor
Allan Kristensen, District Music Coordinator
Karen Lang, Teacher, Madera South High School
Mike Lennemann, Principal, Jack. G. Desmond Middle School
Al Lopez, Head Custodian, Cesar Chavez School
Anne Lozano, Administrative Assistant, Jack G. Desmond Middle School
Raul Lozano, Principal, Nishimoto School
Bob Madsen, Vice-Principal, Madera South High School
Rosa Magos, Human Resources, Tech I, District Office
Judy Owen, Budget/Accounting Analyst
Ace Perez, Head Custodian, Madera South High School
Lupe Rodriguez, Director, Maintenance and Operations
Patsy Rodriguez, Clerk, Child Nutrition
Jeff Smith, Transportation Supervisor
Sharon Stockdale, Librarian, Martin Luther King, Jr. and Thomas Jefferson Middle Schools
Laura Toney, Teacher, Alpha School
Rosie Tovar, Administrative Assistant, Maintenance and Operations
Omar Vaca, Classroom Aide, Parkwood School
April Vandenberg, Outreach Consultant, Thomas Jefferson Middle School
Maggie Yamasaki, Administrative Assistant, Transportation
Darrell Yates, Vice-Principal, Jack G. Desmond Middle School
Joe Zamilpa, Safety Officer Supervisor, Madera South High School
Ron Zaragosa, Maintenance and Operations

Sue Thornton, MUTA President
Carolyn Zaragosa, CSEA Vice-President

Dr. Julia O'Kane, Superintendent, Retired

There were approximately 250 visitors/District employees in attendance.

**1. CALL TO ORDER OF PUBLIC MEETING –
CLOSED SESSION IMMEDIATELY CONVENED**

President Westley called the Public Session of the Board of Education to order at 5:30 p.m. and immediately adjourned to Closed Session pursuant to Government Code Sections 54956.9(a)), 54957, 54957.1 and 54957.6 and Education Code Sections 35146, 44951, 48900, and 48918.

2. RECONVENE PUBLIC SESSION/CALL TO ORDER REGULAR MEETING –
3. PLEDGE OF ALLEGIANCE, OPENING, AND ACKNOWLEDGEMENT OF VISITORS AND MEDIA

President Westley adjourned the Closed Session at 7:05 p.m., and he reconvened the Regular Meeting by calling the Public Session to order at 7:10 p.m. President Westley welcomed the visitors and he asked Clerk/Trustee Janzen to lead the flag salute. President Westley asked Pastor Randy Brannon of Grace Community Church to lead the invocation. President Westley explained the rules governing the Board meeting. The meeting was recorded on Tape No. 17–2008/09.

**4. CLOSED SESSION REPORTABLE ACTIONS
(GOVERNMENT CODE SECTION 54957.1)**

Superintendent Stafford announced there were not any reportable Closed Session actions.

5. ADOPTION OF AGENDA – MOTION NO. 93–2008/09

President Westley stated that if the Board and/or Administration determined they wished to add to the Agenda under Miscellaneous Items, this would be the appropriate time. Trustee Goodwin asked that Agenda Items 8A3 and 8B2 be pulled for separate discussion.

It was moved by Trustee Garibay, seconded by Clerk/Trustee Janzen, and unanimously carried to adopt the revised Agenda.

Ayes:	Trustees Adams, Garibay, Goodwin, Seibert, Clerk Janzen, and President Westley
Noes:	None
Absent:	Trustee Salvador
Abstained:	None

6. STUDENT BOARD REPRESENTATIVE REPORT

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Kirsten Hadjis, Madera High School Student Board Representative, gave an update of academic, athletic, and extracurricular activities occurring at Madera High School.

Michael Bravo, Madera South High School Student Board Representative, gave an update of academic, athletic, and extracurricular activities occurring at Madera South High School.

7. COMMUNICATIONS

7A. PUBLIC HEARING

President Westley opened the meeting for visitors to speak on a subject not on the Board Agenda.

Syria Obregon, 27321 San Bruno, Madera, California came to the podium and asked the Board why they advertised for the Associate Superintendent of Educational Service position? President Westley stated that this question was related to an agenda item - Agenda Item 10C. This portion of the Agenda is to speak about things that are not on the Agenda. Ms. Obregon stated that she would come back and ask the same question when we get to that Agenda item.

No one else came to the podium to address the Board.

7B. STUDENT AND STAFF RECOGNITION

- **Dixieland School - Class Business Project -- this item was postponed until a later Board meeting date**

8. APPROVAL OF CONSENT AGENDA – MOTION NO. 94-2008/09, DOCUMENT NUMBERS 242-2008/09 THROUGH 251-2008/09, INCLUDING COMMERCIAL WARRANTS – EXHIBIT “A”; STAFFING CHANGES – EXHIBIT “B”;

It was moved by Clerk/Trustee Janzen, seconded by Trustee Garibay, and unanimously carried to approve the consent agenda.

Ayes:	Trustees Adams, Garibay, Goodwin, Seibert, Clerk Janzen, and President Westley
Noes:	None
Absent:	Trustee Salvador
Abstained:	None

8A. ROUTINE BUSINESS TRANSACTIONS, ANNUAL RENEWAL OF PROGRAMS, BIDS, AGREEMENTS, NOTICES OF PUBLIC HEARINGS, AND PROCLAMATIONS:

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- 8A1. APPROVAL OF REGULAR BOARD MEETING MINUTES OF FEBRUARY 10, 2009
- 8A2. APPROVAL OF 2007-08 CERTIFICATION OF CORRECTIVE ACTION OF AUDIT FINDINGS AND RECOMMENDATIONS DOCUMENT NO. 242-2008/09
- 8A3. APPROVAL AND RECOGNITION OF BOOSTER CLUB - MADERA HIGH SCHOOL ROBOTICS BOOSTERS PULLED FOR SEPARATE DISCUSSION - DISCUSSED AFTER AGENDA ITEM 8C MOTION NO. 95-2008/09, DOCUMENT NO. 243-2008/09
- 8A4. APPROVAL OF SOFTWARE LICENSE AGREEMENT FOR 'SCHOOL HEALTH NETWORK' DOCUMENTATION SYSTEM DOCUMENT NO. 244-2008/09
- 8A5. APPROVAL TO CONTRACT WITH SCHOOL INNOVATIONS AND ADVOCACY TO CONDUCT AN AUDIT OF OUR SCHOOL ACCOUNTABILITY REPORT CARDS DOCUMENT NO. 245-2008/09
- 8A6. APPROVAL OF CONSULTANT SERVICES AGREEMENT WITH KEVIN CLARK TO CONTINUE PROVIDING ADMINISTRATIVE TRAINING AND FOLLOW-UP FOR THE ADMINISTRATORS OF WASHINGTON SCHOOL DOCUMENT NO. 246-2008/09
- 8A7. APPROVAL TO APPLY FOR A GRANT OFFERED THROUGH THE U.S. DEPARTMENT OF EDUCATION TO PROVIDE ADDITIONAL BOOKS, COMPUTERS, AND PROFESSIONAL DEVELOPMENT OPPORTUNITIES FOR STAFF DOCUMENT NO. 247-2008/09
- 8A8. APPROVAL TO ADOPT THE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS RELATED TO THE POSSIBLE EXPULSION OR READMISSION OF PUPILS AS THESE ARE PRESENTED TO THE BOARD IN ONE OR MORE OF THE FOLLOWING FORMS OF DOCUMENTATION:
- REPORT(S) OF ADMINISTRATIVE HEARING PANEL(S)
 - EXPULSION STATUS REVIEW REPORT(S) BY THE SUPERINTENDENT'S DESIGNEE
 - STIPULATED EXPULSION AGREEMENT(S)
- THE GOVERNING BOARD IS ALSO REQUESTED TO ISSUE ORDERS CONSISTENT WITH THE ABOVE REFERENCED FINDINGS, CONCLUSIONS AND RECOMMENDATIONS RELATED TO THE POSSIBLE EXPULSION OR READMISSION OF PUPILS IN THE CASES OF THE FOLLOWING STUDENTS, HEREIN IDENTIFIED BY THEIR DISTRICT-ASSIGNED IDENTIFICATION NUMBERS: 2436, 302838, 10185, 401979, 601913, 603101, 997249, G-2008/2009, 995596, 303896 CONFIDENTIAL DOCUMENT NO. 248-2008/09
- 8A9. APPROVAL OF COMMERCIAL WARRANT LISTING DOCUMENT NO. 249-2008/09 EXHIBIT "A"
- 8B1. HUMAN RESOURCES ITEMS – STAFFING – EXHIBIT “B” - MOTION NO. 94–2008/09—DOCUMENTS NUMBERED 250-2008/09
- 8B2. APPROVAL OF CLASSIFIED JOB DESCRIPTION: HEALTH SERVICES ASSISTANT
PULLED FOR SEPARATE DISCUSSION - DISCUSSED AFTER AGENDA ITEM 8C
- 8C. FIELD TRIP/EMPLOYEE CONFERENCE REQUESTS
DOCUMENT NO. 251-2008/09

AGENDA ITEM 8A3 DISCUSSED HERE:

8A3. APPROVAL AND RECOGNITION OF BOOSTER CLUB - MADERA HIGH SCHOOL ROBOTICS BOOSTERS PULLED FOR SEPARATE DISCUSSION - DISCUSSED AFTER AGENDA ITEM 8C
MOTION NO. 95-2008/09, DOCUMENT NO. 243-2008/09

Trustee Goodwin stated that she asked for this item to be pulled because she had concerns regarding some of the wording in the By-laws and Articles of Incorporation.

It was moved by Clerk/Trustee Janzen, seconded by Trustee Garibay, and carried for Approval and Recognition of Booster Club - Madera High School Robotics Boosters.

Ayes: Trustees Garibay, Goodwin, Seibert, Clerk Janzen, and President Westley
Noes: None
Absent: Trustee Salvador
Abstained: Trustee Adams

8B2. APPROVAL OF CLASSIFIED JOB DESCRIPTION: HEALTH SERVICES ASSISTANT
PULLED FOR SEPARATE DISCUSSION - DISCUSSED AFTER AGENDA ITEM 8C

Trustee Goodwin stated that she asked for this item to be pulled because she had some questions regarding the Health Services Assistant Job Description. She said on page 134 of the Board packet it indicates that part of the specific responsibilities of the Health Services Assistant is to administer medications, review student records for proper immunizations, assists with the preparation and arrangements for health testing programs performed by the school nurse, maintains the health office in a clean, orderly and safe condition, and operates standard office and medical equipment as required. Trustee Goodwin asked how much education is required for this position. Jerry Stehman, Director of Human Resources, said that he was not prepared to answer the question at this time, but that he would get back to Trustee Goodwin. Trustee Goodwin asked that this item be pulled and brought back to the next meeting after Mr. Stehman has time to research her concerns. **THIS ITEM WAS PULLED AND WILL BE BROUGHT BACK TO THE NEXT BOARD MEETING.**

9. OLD BUSINESS

9A. NONE

10. NEW BUSINESS

10A. ADOPTION OF RESOLUTION NO. 45-2008/09 - CALIFORNIA CASH

RESERVE PROGRAM FOR 2009-10

MOTION NO. 97-2008/09, RESOLUTION NO. 45-2008/09

It was moved by Trustee Seibert, seconded by Clerk/Trustee Janzen, and unanimously carried to adopt Resolution No. 45-2008/09 - California Cash Reserve Program for 2009-10.

Ayes: Trustees Adams, Garibay, Seibert, Clerk Janzen, and President Westley
Noes: Trustee Goodwin
Absent: Trustee Salvador
Abstained: None

10B. APPROVAL TO WAIVE FACILITY USE FEES FOR THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP) NATIONAL 100TH ANNIVERSARY CELEBRATION TO BE HELD AT MARTIN LUTHER KING, JR. MIDDLE SCHOOL ON FEBRUARY 28, 2009

MOTION NO. 98-2008/09, DOCUMENT NO. 252-2008/09

It was moved by Trustee Adams, seconded by Trustee Garibay, and unanimously carried to waive Facility Use Fees for the National Association for the Advancement of Colored People (NAACP) National 100th Anniversary Celebration to be held at Martin Luther King, Jr. Middle School on February 28, 2009.

Ayes: Trustees Adams, Garibay, Goodwin, Seibert, Clerk Janzen, and President Westley
Noes: None
Absent: Trustee Salvador
Abstained: None

**10C. REVIEW AND APPROVAL OF POTENTIAL EARLY RETIREMENT INCENTIVE PROGRAM BETWEEN PUBLIC AGENCY RETIREMENT SERVICES (PARS) AND MADERA UNIFIED SCHOOL DISTRICT
MOTION NO. 99-2008/09, DOCUMENT NO. 253-2008/09**

Dennis Yu of Public Agency Retirement Services (PARS) gave a detailed PowerPoint presentation of what is available through them for our retirees. They are the third largest Multiple Employer Public Retirement System in California with 450+ Member Agencies, over 250,000 participants and 800+ retirement plans. He stated that PARS has specialized exclusively in Governmental Pension Plan Consulting and Administration since 1983. They assist in all phases of the program from Plan Design, Implementation and On-Going Plan Administration. They have a highly regarded team of expert consultants utilized to assist PARS. They are business affiliates of California School Boards Association (CSBA). He then showed the Board some graphs with retirement eligible demographics for MUSD.

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It was moved by Clerk/Trustee Janzen, seconded by Trustee Garibay, and carried to approve Potential Early Retirement Incentive Program between Public Agency Retirement Services (PARS) and Madera Unified School District.

Ayes: Trustees Adams, Garibay, Seibert, Clerk Janzen, and President Westley
Noes: Trustee Goodwin
Absent: Trustee Salvador
Abstained: None

**10D. REVIEW OF POTENTIAL BUDGET REDUCTIONS FOR THE 2008-09
AND 2009-10 SCHOOL YEAR DOCUMENT NO. 254-2008/09**

Kelly Porterfield, Associate Superintendent of Business and Operations gave a Power Point presentation of the initial proposal to deal with the recently passed California budget that includes drastic reductions in the funding of public education. Because of a deficit that had eclipsed \$42 billion by the time Governor Arnold Schwarzenegger signed the state budget last week, Madera Unified will need to trim \$15.8 million from its own operating budget over the next three years. Mr. Porterfield gave a detailed presentation on how that would be done. He also stressed to the Board of Education that what was being presented was an initial proposal only, and that no items had been prioritized for reduction. He said that this is just a starting point for us. So if the Board wishes to change or remove some items from the reduction list, they may. However, other items of equal value must replace them. He said that MUSD's initial proposal utilizes flexibility in carrying over unspent money from 2007-08, along with a hiring and spending freeze instituted in December 2008, to get through the remainder of the 2008-09 school year without any reductions in personnel or programs. The sweeping of carry-over funds along with the spending and hiring freeze amounts to \$2 million.

For 2009-10, the plan proposes to save \$2.3 million from the MUSD operating budget by imposing a 2.5 percent salary cut for all employees. The 2.5 percent cut would be reinstated, although not retroactively, when the economic forecast brightens and state funding to education is not being cut. Any salary reduction would need to be negotiated with union groups before being implemented. Based upon the information presented, a total of 53.51 positions (42.21 classified, 11.30 certificated) would be impacted. However, 16.5 of those positions are currently vacant and will not be filled. Thus, the number of currently-filled positions to be effected by the reductions plan is 37.01. While there has been much discussion over increasing class size ratios at grades K-3 and ninth grade, the District's initial reductions proposal does not include a change in class size at any grade level. The proposal also impacts some non-personnel areas, such as the elimination of cellular phone stipends, reducing high school athletics transportation and supplies budgets by 10% and eliminating several

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outside contracted services. Mr. Porterfield indicated more reductions would be necessary in 2010-11, but that the uncertain economic picture at the state and federal levels make it impossible to know how much MUSD will need to cut right now. There will come a point in the coming months where we are required to have a clearer forecast on what we will be doing in 2010-11, Mr. Porterfield stated. By May, we hope to have a better idea of what our level of funding will be for the 2010-11 year, and when that time comes, we'll be more equipped to prepare accordingly. In the coming days, MUSD administrators will begin work on finalizing the budget reduction plan, which will include a prioritization of the reductions list. The MUSD Board will vote to approve a final prioritized reductions plan at the next Board meeting.

Here is the MUSD Initial Reductions Proposal:

- 2.5 percent salary cutback for all MUSD employees
- No increase to class sizes at any grade level
- Utilize targeted reductions to realize savings
- Total of 53.51 full-time positions affected (37.01 currently-filled positions)

The next steps are:

- Feedback will be gathered on initial budget reductions proposal
- Budget reductions list will be prioritized
- Finalized budget reductions proposal will be presented at March 10th Board meeting

Mr. Porterfield told the audience that if they had questions they could contact him by phone or by e-mail and he would answer their questions. President Westley thanked Mr. Porterfield and complimented him on a great job in putting the presentation together. President Westley then opened up the forum for questions from the Board or audience.

Syria Obregon, 27321 San Bruno, Madera, California came to the podium and asked the Board if the freeze only applied to the classified and non-district positions. I understand that there are positions that need to be filled because of the impact of the overall educational program. However, there are so many high level positions that can be cut which I did not see on Mr. Porterfield's paper work that he had here. These positions have never been seriously considered for any final list since last year and this year again. Can the Board advise this audience if we will be releasing any of our counselors that we have? What sacrifice will Mr. Stafford or Mr. Porterfield or any of the higher paid positions do to show their loyalty to employees and more importantly to the students and parents of Madera? Like last year when we requested the school district to sacrifice a high paying position, it was conveniently put on a District Office position to be released or reassigned. These are the employees that

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have the most direct one on one with our students. These are the employees that keep the test scores rising. I understand that the sacrifices are made because of our economy, but the sacrifices at the cost of your workers and not the higher paid positions. When we ask what positions are not being cut at District Office, we're never given an answer. When will we get an answer from the Board? There are 755 classified employees plus friends and families. How do you want us to remember you, how you voted.

Laura Gutile, 25545 Avenue 12 1/2, Madera, California has a third grade daughter at Alpha School. She said that it is her understanding that the school district is asking for a 2.5% reduction across the board. She said that she wondered if there was a way to do a tiered system so that the teachers that work so hard on their contract negotiations this last year, they don't have to lose quite so much. She said that was her only question.

Julie O'Kane, 205 Redwood Drive, Madera, California came to the podium and stated that she is here this evening representing the Madera County Arts Council. She said that she just has a couple of comments to make, but before I do that she said that she would like to congratulate the Board on a Yeoman's effort at making a tremendous amount of cuts and still keeping in tact major programs for kids in the school district. She said that she thinks it is one of your better cuts, and there have been lots of them over the last few years. She said that we recognize how difficult it is for you to go through this again, and to face two or three years, and we don't know what the end is going to be. She said that she is here representing the Arts Council tonight because one of the programs on the list of reductions is the PACES program. The PACES program is \$53,000.00 which the District has continued for some twenty years now to provide virtually the only Arts education that our elementary students have. \$43,000.00 of that money goes towards the visiting artists that are professionals who come into classrooms and work on helping students to learn through the Arts. We've retooled our program over the last few years to make sure that when the artists are in classrooms that they are supplying and emphasizing the basic standards that the students must learn as part of their education. So we've coordinated all of our efforts to make sure that they're supported in the classroom. These funds are all used in direct service to our elementary students. She said that she personally knows that you all value education in the Arts and Music and have been very supportive of the Arts and Music in the past, and she said that she knows that the Board has difficult decisions to make over the next few weeks, so all we can ask is that if there's any way we can work with you to help consider, maybe if you can't keep the whole program in tact, maybe part of it so we don't have to disband the whole program. Because if we disband the whole program, it's going to be very difficult in a couple of years to find the artists again and retool everything. So anything we can do over the next couple of months to try to hold on to any of it, we'd be willing to work with you and cut down the number of grade levels and the number of kinds of services that we offer. Anything that you could do to keep the program alive so that we can begin to build it up in the future again when the economy turns around would be greatly appreciated.

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Mr. Porterfield came to the podium and said that his intentions were to answer the questions that were asked. He said that what he heard were essentially three questions, four counting Dr. O'Kane's. The first one has to do with the advertising of, unfortunately, the vacancy that will be created by Kathy Lopes retirement. He said that he thought it would be best to give the Superintendent the opportunity to address that. Superintendent Stafford said that he appreciates the question and he also appreciates the comment that Mr. Porterfield included, that our number one mission is to provide the highest quality educational program that we can for the children in Madera. He said that we have made great improvement and great strides, particularly in the last three years, since we've been focusing on classroom instruction and providing the highest quality training to our teachers and support in their efforts to implement that training and to implement their practices. Our key strategy is really good first teaching, and then support and mediation as needed. The position of Associate Superintendent for Educational Services in an already small department for a District our size is essential and what we call "Mission Critical". The investment of money that we've had, last year we spent over a million dollars in training our administrators and teachers to teach in a more effective manner and we've seen the results of that, we're currently seeing it now requires a high level of monitoring and holding people accountable by using the Chief Academic Officers and the Associate Superintendent for Educational Services. They provide that level of monitoring and support. This year we have had highly trained coaches that are being employed from the District to support that training and the kinds of activities as we are in Program Improvement we have four Alternative Governance Boards this year and very likely may have two more next year. Those take a great deal of time on the Associate Superintendents' calendar to help those schools in our greatest difficult needs. So, we really look at this, but again this is a position that will be implemented out of next year's budget, not the current year, but it is a "Mission Critical" position. I really believe that we would be penny-wise perhaps and pound foolish to lose the momentum and efforts that we have put in place and the investments that we have already made. And just as you make an investment in our infrastructure and you want to try to maintain and support that, the efforts and maintenance of effort for our improvement in the classroom really requires someone within that level of vision and focus who can oversee the monitoring of support. So, that's the rationale for that position.

Mr. Porterfield said, to touch on the question of if you were in a hiring freeze, why would you take this position and single it out. Actually, that's something kind of true. Any position that is "Mission Critical", that we feel we must supply. We did not just "blanket" not hire. We had a couple of actually classified staff in the form of Special Education that we did hire during that freeze. The difference is obviously those tend not to be as controversial as the one that we're talking about now.

The other question - why not more from the top and I think that that's a question that we both addressed last year and of course we anticipated one that we'll have to add

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this year. Last year, if you recall, we actually eliminated one Cabinet level position and another Director of Athletics from the District Office. The Risk Management was transferred to my department and the Human Resources was actually transferred to Jerry Stehman's side of the house. So, he's now doing Classified Human Resources and I'm doing the Risk Management side. As far as addressing the issue, are we fat at the top. Mr. Porterfield said he may be fat, but whether we're fat at the top or not, I think it puts an administrator in the precarious position when I have to justify whether we're fat at the top or not. So, I'm not going to do it. But, what I will do is provide you with the data that we can compare to other districts in our region whether or not we're fat. It's actually a part of the hand out and it's towards the end. The information I'm showing tonight is taken from the Department of Education website. The information is from yearly CBED's information provided by each district. Madera Unified's current administrator salary per ADA exported for 2006/07, which is the latest report that's available, we're actually third from the bottom in administrator's salary expense. Mr. Porterfield referred to the PowerPoint presentation slide that shows where MUSD is at in comparison to other districts in the San Joaquin Valley. He then referred to the next slide in the presentation which showed student enrollment per administrator, the CBED's data from the Department of Education and students by site administrator and students by pupil service, we're actually second from the bottom comparative groups within the region. Mr. Porterfield said he has to compliment all administrators within the District and of course, the teachers as well, in working together to close the achievement gap, and this is tremendous that we're able to do it in the way that we're doing it. If you look at other districts, Sanger for example, we look at Sanger as a success in the valley, and we are obviously not on the same level as Sanger as far as administrators. This is good data to have and he said additional data is available.

Syria Obregon asked if the salaries of MUSD administrators are available. She said she did not see that information in the presentation. Mr. Porterfield responded that the salary information is public information and available. Mr. Porterfield said he did not want to get into a "tit for a tat". Mr. Porterfield then said that when you look at District Office across the board, we are reducing from District Office and Central Services. Are we reducing on a Cabinet level, no, nor is that a recommendation. Are we reducing from a level that involves principals and vice-principals -- absolutely not. We want to stay away from the classrooms and the school sites. We believe that we are adequately staffed and we will continue to do what we're doing hopefully on a higher level than what we're doing right now. Someone asked a question from the audience that was inaudible. Mr. Porterfield responded that it is actually before we did the reductions that we did last year. He said, remember this comparison may actually improve the number of students per administrators. Mr. Porterfield said that he would provide the information when it is available. It's all available to everybody.

Superintendent Stafford said that we will put that information on our website. Mr. Porterfield said, I think the other questions regarding Central Services, he showed an example (slide) of Central Services. They represent proportionately a larger number than any of the other categories. He then referred to the next question - Tiered Plan -

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whether or not if we would do a Tiered Plan. Ultimately that is up to negotiations and we have to do that at the negotiation table. We are not allowed to do that with individual negotiations. We have to sit down at the negotiation table and discuss that. The reasoning behind the 2.5% reduction is that typically when we give raises, the raises are actually given as a function of percentage in relation to COLA, and we're not looking at a deficit in COLA of over 13%. We're not saying we want to reduce by 10%, we're looking at 2.5% because ultimately we want to attract the best and brightest, and to reduce it by that amount would be counter productive. And so, we'll have to negotiate here if the Tier Plan is even feasible, we would have to negotiate with the bargaining units.

President Westley asked whether the 2.5% reduction, does that include a freeze on the step and column (referring to the PowerPoint presentation slide) - there still could be increase on step. Mr. Porterfield responded, that is correct. He said 2.5% is a roll back, but you still have step and column so you would still be moving along the salary schedule. Many of the teachers, and Sue Thornton may be able to address this better than I can, but many of the teachers from that 2.5%, a step and column may be represented as roughly 3%, so the net loss, while there would be a loss of 2 1/2%, that loss, you would still be gaining. Ms. Thornton responded for teachers that have been here 10 years or less, yes that is true.

Mr. Porterfield then went on to address the PACES Program. He said that we will do everything we can to look at that as we've done with all of the other programs that we're looking at. We've tried to stay away from programs. PACES is one of those that we may poll and discuss it with the sites in case it's one of those programs that came up as one that could possibly be reduced. But in all fairness to PACES, it represents a very, very small amount of the big picture.

Sergio Saucedo, 2430 Howard Road, Madera, California came to the podium and asked what would happen if certain people would vote against the 2.5%, what will happen then. Mr. Porterfield responded that we would have to show a Plan B, and the Plan B would get us away from our ultimate goal of reducing away from the classroom and ultimately when 90% of our expenses are in people and programs, you naturally have to go to those places, and so, if we were not able to negotiate a 2.5% across the board, whatever monetary value that represented, we would have to find that elsewhere, which ultimately could affect more people and more layoffs. By doing a 2.5%, you're spreading it over a larger population and so you have everyone absorbing a little bit of that cost as opposed to the one individual who loses a job. A perfect example would be flexibility within Maintenance and Operations for example -- we have the ability to sweep M & O into the General Fund to make up that difference. That represents 21 individuals that could potentially lose their jobs. We don't want to do that. We will be negotiating directly with the bargaining units to try to come up, in a collaborative effort, with a solution, and so far we've discussed these things as we've progressed along the process, and they will in turn educate their collective bargaining units.

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Sam Miller, 25735 Temple Drive, Madera, California came to the podium and stated that he doesn't see why Kelly's plan doesn't sound crazy to you guys. But I don't see why he doesn't figure out what it takes for all of us to take a cut and not lose a single individual for the District. You guys are talking about working for the kids. We need those employees - you know that. All you guys know that. We need to teach our kids, not in some other district somewhere else.

Mr. Porterfield responded -- good question. He said ultimately the plan that we've put together was a plan that we felt had the best chance at success when we go to our collective bargaining units to negotiate that because we cannot just across the board say, everybody take a 5% or 6% reduction. We have to go to the bargaining unit and discuss that. Mr. Miller works for the City of Merced and they voted for a 5% reduction. Mr. Porterfield said that process will be started tomorrow and we hope to be successful and go through that process.

Jose Valdez, 27410 Parkwood Avenue, Madera, California -- he said he had a question about the lawsuit that happened with Madera Unified that was \$1.2 million dollars. He asked if that was going to be projected in the figures presented tonight or where is that money coming from?

Mr. Porterfield responded that from the budget standpoint, we are prepared for that inevitable cost. Will it be \$1.5 million, will it be reduced from there, we don't know. But we have both insurance proportion and then the remainder of the portion would be taken out of the general fund. We would have to identify funds for that. We currently have a fund that we believe that we could tap into should we have to do that.

Superintendent Stafford said that he would like to add to what Mr. Porterfield said. He said that \$1.2 million amount is their request, that's their demand for fee. He said we just received their back up detail, we're examining that and we'll be making a counter offer. So we're entering into settlement discussions to arrive at a hopefully much lower number and if we can arrive at an agreement to that, that would be great. But, if not we may end up going to court and have a judge decide what the appropriate amount is. Someone asked a question (inaudible). Mr. Stafford responded - that's their demand, so now we just got the back-up that was a one-page, that's what we think you should pay us. We said, tell us why. So, we just received that, and our attorneys are examining that and we're working to determine what's an appropriate response from the District. So we're just getting into that settlement conversation.

Mr. Porterfield said that as far as identifying a particular funding source because it's pending litigation, he preferred not to comment on that in a public forum.

Superintendent Stafford said we cannot say more than that. Mr. Porterfield said that ultimately the Board of Education will have to decide on that fund at that time and then it will become public.

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Rhonda Pierce, 19972 Road 31, Madera, California said that she has a question that may not be as important to other people in this room as it is to her. She said that she is a first year teacher, so she is a temp, and she has been told that she will be receiving a pink slip on March 13th, which she understands is typical for temporary teachers. She said that her question is do you have any foresight to the possibility of re-hire for those temporary teachers if the 2.5% salary reduction goes through and you have several teachers who retire. In other words, do you anticipate still needing the same number of teachers next year?

Mr. Porterfield responded that depending upon the plan and Mr. Stehman, you may be able to better address this too, depending upon the plan if we are able to negotiate the 2.5%, we anticipate that the majority of the temporary teachers would actually return. But, again, it's important to say, it all depends on that collective bargaining process.

Mr. Porterfield then thanked everyone for their input. He said that if you have any questions, you can go to our website and both the link to my e-mail, Mr. Stafford's and Ms. Lopes' and you are welcome to give us any input you may have in the process and we're hoping for a successful process and putting this to bed and moving on.

President Westley thanked Mr. Porterfield and his staff for all of their hard work in preparing this information.

11. INFORMATION/REPORTS

11A. STANDARDS REPORT

There was none.

11B. BUSINESS AND OPERATIONS UPDATE

There was none.

12. ANNOUNCEMENTS

Superintendent Stafford announced that we have been requested by the California School Boards Association (CSBA) Conference Planning staff to present at their conference this year regarding the California Voting Rights Act and moving from At-Large Vote to By-Trustee area voting. We have a team that we're assembling and they would like us to have a Board member or two on a panel to discuss your experiences. So, if you as a Board member might be interested in doing that in December, 2009 please let me know of your interest and we'll take up to two Board members on the panel.

13. MISCELLANEOUS

President Westley said that he had a couple of comments. He said that he had noticed over the last couple of months as the situation with the economy and our budget has been getting more and more critical, I think that the tension and stress among Board members and staff has been increasing, but I'm really impressed at how well everybody seems to be handling this. He said that one thing that I'm noticing is that there are protocols for communication for requests from the Board and a lot of that was derived, I think from CSBA's model and I know that CSBA, and I'm just suggesting this as an option to consider, because I think it's real important that we really stick together during these times. By design school boards are made up of lay persons from the community that has varied backgrounds and there is tremendous value in that. We also tend to come to the table with various concerns and focused requests of things that we want done and that can be good too. But in these times we have to be pretty careful about how we go about doing that. So, I guess what I'm suggesting is that we talk, or look more at our By-laws on how we get things done and try to allow staff to work through these things the best way they can and support them when we are a Governing team. It's not just a School Board, but the Governing Board is made up of the School Board as well as the Superintendent. Again, I think we're doing a great job. I just wanted us all to be aware of some of the things that are going on so that we maintain an even keel through these tough times.

Trustee Goodwin said that in tough times like these, tough economical times, that a lot of people get stressed out. She said that it is very important to give children time to verbalize about what's going on and let them know that there really isn't anything they can do about it. They can't change the problem. They may see things on the television, and we will see some kids act out. So let them talk about their feelings.

14. ADVANCED PLANNING

President Westley made the following announcement:

**Next Regular Board Meeting
Tuesday, March 10, 2009 - 7:00 p.m.
Madera High School Cafeteria, 200 South L Street, Madera, California 93637**

15. SUGGESTED FUTURE AGENDA ITEMS

There were none.

16. ADJOURNMENT MOTION NO. 100-2008/09

President Westley adjourned the Public Session at 9:50 p.m.

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Fritz Ediger

Fritz Ediger, Senior Administrative Assistant
to the Superintendent and Board of Trustees

Dated: February 24, 2009